

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

8 November 1985

REVIEWER NOTE

SUBJECT: Procedure for Handling Mandatory Review Requests No. 4

1. Since 1 May 1985 all Executive Order mandatory review requests have been sent from IPD to CRD for an initial declassification review. This new procedure was established to more completely develop and test the process of funnelling material that is to be reviewed through a single unit. This unit would seek to protect broad Agency equities and to identify areas of concern that will serve to focus the attention of coordinating review specialists to save their time. In addition, much of the procedural and administrative details will be done by CRD to save the specialists even more time. With this procedure our goal is to demonstrate that we can perform an expeditious and thorough declassification review of all types of CIA information to protect Agency equities across a broad spectrum; that we can be consistent in our review actions; and that we can use this concentrated activity to build a base for the creation of better review guidelines and records of the actions taken to better support the Agency's responsibilities in the declassification and release area.

2. The following is the procedure that we will follow. ^{Any time} ~~Anytime~~ modifications will improve our performance they will be made and all members of CRD are encouraged to make suggestions at any time regarding any aspect of the program:

- a. IPD will log in the requests, make a mark-up copy of the document(s), put a cover sheet on the package, and send it directly to CRD;
- b. The CRD secretary will log in the request on the WANG, put a pink colored cover sheet on it, and deliver it to C/RB for review action;
- c. C/RB will assign the request to a reviewer, coordinating the assignment with the reviewer's branch chief, matching experience with subject matter to the extent possible and as individual workloads permit, and notify the CRD secretary which analyst is reviewing the request;
- d. The reviewer will carefully and conservatively review the material for any classified or questionable information. Classified information will be bracketed with red pencil on the marked-up copy and the exemption category or categories within which the information falls will be cited in the margin in red pencil. (The DI has asked that we not

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bracket information in the copies of documents sent to them. This means that if it is necessary to coordinate with the DI and at least one other component we must make a second copy of the document to leave unmarked. By agreement with the DI/IRO if a document is large (20 pages or more) we will not make a separate copy, but send the DI a marked-up copy.)

e. Explain the actions you take on a separate piece of paper. Include reasons why you withhold, and reasons why you don't in cases where the classification status is questionable. Anticipate questions that might arise and provide answers or explanations to dispel the concerns of coordinating reviewers. Focus not just on the subject matter but on the nature of the document, specific source or agency providing the information, any and all circumstances surrounding the creation and existence of the document that contribute to the sensitivity of the information it contains. When there is a question to which a clear answer is not available, consider researching the point or use RIMS and attach the results of your research whether positive or negative. This upgrades the quality of our review and makes the job of the coordinating reviewers easier.

f. Another important aspect of our review is to note, for coordinating reviewers, that information we are concerned about releasing yet on balance believe we cannot withhold it. This broadens the swath of information that we are bringing to the attention of the coordinating reviewers and makes it less likely that we will miss something. Set off such material using green-pencilled question marks. DO NOT cite a classification exemption category in the margin. DO explain the basis of your concern in the attached listing of comments that you are preparing.

g. When you list your comments be sure to key them clearly to the text involved. The most common method is to refer to the chapter/page/paragraph/line numbers but whatever the system it must be clear, easily understood, and unmistakable. Classify your notes as appropriate and provide the justification from

h. Complete a Form 3724 (Review Worksheet) for each document. Be sure to include the "E" number issued by IPD, the document description, mark it as an "Expendable Copy," and record your finding:

Document can be declassified--check PART Ia and list coordinations necessary;

Document is withheld in toto--check PART Ib, encircle exemption provision(s), and list coordinations necessary;

Document is sanitized--check PART Ib and PART IIb, encircle exemption provision(s) in Part I and list coordinations necessary in the space provided in PART IIb.

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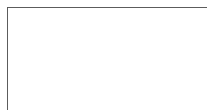
i. At the top of your comments list, provide the "E" number of the case, your initials, and the titles of Agency components with which coordination is recommended.

j. Turn in your work to your branch chief who will check it and forward it to Chief, RB. The latter will thoroughly check the work to ensure consistency in review decisions and completeness and accuracy both in making the substantive review and following procedures.

k. Chief, RB will forward the package to Chief, CRD who will take a final look at all aspects as a means to further ensure that nothing is missed either substantively or procedurally.

3. Following the final in-house CRD review the secretary will type up the results. If the comments are brief they will be typed on the IPD-furnished cover sheet. If too long for the cover sheet, the secretary will prepare a simple memo for C/IPD from C/CRD. The secretary will check to see that the package is complete and after C/CRD signs off, the secretary will log the case out and send it to IPD.

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Chief, CRD

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12 November 1985

REVIEWER NOTE

No. 5

Exemption 1.3(a)(9), a confidential source, was included in E.O. 12356 at the request of State. It was meant to cover persons or organizations that provide information to the U.S. Government on a confidential basis but are not recruited agents or spies. The E.O. defines a confidential source as:

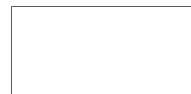
"any individual or organization that has provided, or that may reasonably be expected to provide, information to the United States on matters pertaining to the national security with the expectation, expressed or implied, that the information or relationship, or both, be held in confidence."

Section 1.3(a)(4) covers intelligence sources and is meant to cover most if not all individuals or organizations that provide information or services to CIA. Section 1.3(a)(4) therefore, covers the great majority of situations we encounter and should be used with few exceptions on CIA information.

Our first option should be to use intelligence source and then consider using a "confidential source" when the following conditions are present:

1. The information and/or document are from a non-intelligence service or agency;
2. The source is not an agent;
3. The information is passed on a friendly basis only;
4. There is an expectation of confidentiality on the part of the source;
5. There is no apparent intelligence service or equity involved.

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Chief, CRD

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